

0009

BOX:

14

FOLDER:

171

DESCRIPTION:

Kilty, Patrick

DATE:

05/25/80



171

0010

BOX:

14

FOLDER:

171

DESCRIPTION:

Lane, Patrick

DATE:

05/25/80



171

0011

BOX:

14

FOLDER:

171

DESCRIPTION:

Smith, Adolphus

DATE:

05/25/80



171

Counsel,

Filed 25 day of May 1888

In Pleads for Guilty

THE PEOPLE

vs.

R.

1. Adolphus Smith
2. Patrick Kelly
3. Patrick Lane

Larceny, and Receiving Stolen Goods.

BENJ. K. PHELPS,

District Attorney.

May 24/88

Wm. Coleman

June 2, 1888

Chas. J. Phelps, P.D.
City of New York

No. 1

A True Bill.

(Signed) Wm. J. Phelps

Foramen
Part in: May 24, 1888

No. 2 - ~~Cath. P.~~

richardson in his own name

No. 3 - richardson in his own name

0013

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK,

Adolphus Smith being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer. *Adolphus Smith*

Question. How old are you?

Answer. *16 years*

Question. Where were you born?

Answer. *N. S.*

Question. Where do you live?

Answer. *34 Cherry St. N.Y.*

Question. What is your occupation?

Answer. *Newsboy*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *I am not guilty*

Adolphus Smith

Taken before me, this

20

day of

May

1880

POLICE JUSTICE.

00 14

Police Court—First District.

CITY AND COUNTY }
OF NEW YORK, } ss.

Patrick Kelly being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Patrick Kelly

Question. How old are you?

Answer.

2 years

Question. Where were you born?

Answer.

N. Y.

Question. Where do you live?

Answer.

307 Pearl St.

Question. What is your occupation?

Answer.

Button factory

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

I am not guilty.

his
Patrick X Kelly
clerk

Taken before me, this

20

day of

May

1880

POLICE JUSTICE.

00 15

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK,

Patrick Lane being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Patrick Lane

Question. How old are you?

Answer.

11 Years

Question. Where were you born?

Answer.

Ir 5,

Question. Where do you live?

Answer.

11 Jacob St-

Question. What is your occupation?

Answer.

News boy

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

I am not guilty -

Patrick Lane

Taken before me, this

20

day of May

1887

Police Justice.

00 16

Form 112.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

Police Court—First District.

of No. 37 Frankfort Minnie Coleman Street, being duly sworn, deposes
and says, that on the 19th day of May 1881
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent, and from deponent's

Person
the following property, viz: One purse containing
Twelve Silver coin of the value
of Three Dollars. and
One National Bank note of
the value of One Dollar in
all

of the value of Four Dollars,
the property of Complainant

and that this deponent has a probable cause to suspect, and does suspect, that the said property
was feloniously taken, stolen, and carried away by Patrick Kilty and

Adolphus Smith and Patrick Lane
(all named) and two other boys not
arrested; that at about the hour of six
o'clock of said evening deponent was
walking through Frankfort street when
said Kilty in company with other boys
snatched said property from deponent
and ran away. That deponent was
informed by John J. Nolan of the 4th
precinct that said Smith - and
said Lane had received a portion
of the proceeds of said larceny.

Minnie Coleman

Sworn to before me, this

20th

May

Police Justice.

00 17

Cts. ^{and} Cunts of New York 55'

John J. Nolan being sworn says that
he is an officer attached to the
4th Precinct that he knows the
contents of the within affidavit
that so much of the same as
relates to deponent is true

Sworn to before me
this 20th Nov 1880

John J. Nolan

Herman J. [unclear]
Police Justice

00 18

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK, }

.....being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

Question. How old are you?

Answer,

Question. Where were you born?

Answer.

Question. Where do you live?

Answer

Question. What is your occupation?

Answer.

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.

Taken before me, this

day of

Police Justice.

00 19

COUNSEL FOR COMPLAINANT.

Name,

Address,

COUNSEL FOR DEFENDANT.

Name,

Address,

Police Court—First District

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Minnie Coleman
37 Franklin St.
Patricia Kelly
Adolphus Smith
Patrick Logan

5/1
W/

May 20, 1880

Smith Magistrate.

Volan Officer.

H. P. P. P.

Witnesses:
Officer Volan

H. P. P. P.

May 22 1880

\$ 500

to answer

at General Sessions

Received at Dist. Atty's office

band

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0020

Patrick Kelly
Adolph Smith
Patrick Lane

Arrested May 20th. 1880

0021

CITY AND COUNTY }
OF NEW YORK, } ss.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Adolphus Smith Patrick Kelly
and Patrick Lane each

late of the First Ward of the City of New York, in the County of New York, aforesaid, on the
nineteenth day of May in the year of our Lord
one thousand eight hundred and eighty-eight at the Ward, City and County aforesaid,
with force and arms,

One pocket-purse of the value of
fifty cents -

One ~~Direct~~ Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as United States Treasury Notes, of ~~a number~~
~~denomination of one dollar and of the value of one dollar~~ ^{the} ~~and denomination to the Jurors aforesaid unknown, and a more accurate description of~~
~~which cannot now be given, of the value of~~

One ~~Direct~~ Promissory Note for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as Bank Notes, of ~~a number~~ ^{the denomination} ~~of one dollar and of the value of one dollar~~
~~denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot~~
~~now be given, of the value of~~ ^{the Jurors aforesaid un-}

three dollars

Twelve coins of the kind called quarter
dollars of the value of twenty five
cents each -

of the goods, chattels, and personal property of one

Minnie Coleman

then and
there being found, feloniously did steal, take and carry away, against the form of the Statute in such
case made and provided, and against the peace of the People of the State of New York and their
dignity.

0022

And the Jurors aforesaid, upon their oath aforesaid, do further present
That the said

Adolphus Smith Patrick Kilty
and Patrick Lane each

late of the Ward, City, and County aforesaid, afterwards, to wit: on the day and in the year aforesaid,
with force and arms, at the Ward, City and County aforesaid,

One pocket purse of the value of fifty
cents

One ~~Divers~~ Promissory Note, for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as United States Treasury Notes, ^{the} ~~denomination of one dollar and of the value of one dollar~~ ^{denomination} of a number
and denomination to the Jurors aforesaid unknown, and a more accurate description of
which cannot now be given, of the value of

One ~~Divers~~ Promissory Note, for the payment of money, the same being then and there
due and unsatisfied, and of the kind known as Bank Notes, ^{the} ~~denomination of one dollar and of the value of one dollar~~ ^{denomination} of a number
and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid un-
known, and a more accurate description of which cannot now be given, of the value of

three dollars

Twelve coin of the kind called quarter
dollars of the value of twenty five cents each

of the goods, chattels, and personal property of the said

Minnie Coleman

by a certain person or persons to the Jurors aforesaid unknown, then lately before feloniously
stolen of the said

Minnie Coleman

unlawfully, unjustly, and for the sake of wicked gain, did feloniously receive and have (the said

Kilty and Adolphus Smith Patrick
then and there well knowing the said goods, chattels, and personal property, to have been feloniously
stolen,) against the form of the Statute in such case made and provided, and against the peace of the
People of the State of New York, and their dignity.

BENJAMIN K. PHELPS, District Attorney.

0023

BOX:

14

FOLDER:

171

DESCRIPTION:

Smith, Catherine

DATE:

05/21/80



171

0024

PERSON WITH SO FEELS FREE TO OFFER HIM TO RESIDE BUT
AND WILL BE HELD IN JAIL UNTIL HE CAN BE PROSECUTED

2017

ON THE 21st DAY OF MAY 1887
THE PEOPLE OF THE DISTRICT OF COLUMBIA
DO hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the District Attorney

274

Counsel,

Filed 21 day of May 1887

Pleads

THE PEOPLE

vs.

Indictment, Larceny

Bathurst Smith

Passed under

James W. Phillips

for for robbery

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Wm. H. Hays

Foreman.

Heads guilty

Per: Two years.

0025

Form 112.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

Police Court—First District.

Thomas Davis
 of No. 189 Lexington Avenue
 and says, that on the 12 day of May 1880
 at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
 away from the possession of deponent,

the following property, viz:

One Pair of Diamond Earrings of the value of one hundred
 and thirty dollars. one Black Silk Dress of the
 value of one hundred dollars. one Black Silk Dress
 of the value of forty dollars. one skirt of the value
 of ten dollars. one seal skin Bagque of the value
 of twenty five dollars. and one shirt stud of the
 value of one dollar in all

of the value of

the property of

three hundred and six
 deponent Dollars,

and that this deponent has a probable cause to suspect, and does suspect, that the said property
 was feloniously taken, stolen, and carried away by

Catharine Smith
 (now here) for the reason that deponent
 was informed by officer Adams that
 said Catharine confessed to him that she
 did take steal and carried away the
 aforesaid property and also informed
 said officer where the aforesaid property
 was concealed

Thomas Davis

Sworn to before me, this

day

Police Justice.

0026

City and County }
of New York } ss

William Adams of
the Central Office Police being duly
sworn says that he has heard read
the foregoing affidavit and the statement
therein contained on information is true
to deponent's own knowledge

Given to before me this William Adams
16 day of May 1888

Police Justice

11 W 2

0027

Police Court—First District.

CITY AND COUNTY } ss.
OF NEW YORK.

Catharine Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to refuse to answer any question that may be put to her, states as follows, viz:

Question. What is your name?

Answer. *Catharine Smith*

Question. How old are you?

Answer. *22 years*

Question. Where were you born?

Answer. *Ireland*

Question. Where do you live?

Answer. *189 Cherry Street*

Question. What is your occupation?

Answer. *Servant*

Question. Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer. *I am guilty*

Catharine Smith

Theron M. Byrne me 1895
Theron M. Byrne
1895
Police Justice.

0028

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

Police Court—First District

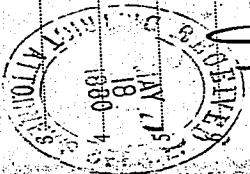
THE PEOPLE, &c.,

ON THE COMPLAINT OF

Thomas Davis
189 Lexington Ave.

vs.
Catherine Smith

A. H. Davis—Larceny.



Dated 16 May 1880

Magistrate.

Adams & Adams
Central Office

Witness:
William Adams
Central Office
101 Mulberry

\$ 1000 to answer
at General Sessions
Received at Dist. Atty's Office

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0029

CITY AND COUNTY } ss.
OF NEW YORK.

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

Catharine Smith

late of the First Ward of the City of New York, in the County of New York, afore-
said, on the *twelfth* day of *May* in the year of our Lord one
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County
aforesaid, with force and arms

Two earrings of the value of sixty five dollars.
Two waists of the value of fifteen dollars each
Three skirts of the value of twenty seven dollars
each ~~~~~
Two overskirts of the value of twenty dollars
each ~~~~~

of the goods, chattels and personal property of one

Thomas Davis

then and
there being found, feloniously did steal, take and carry away, against the form of the
Statute in such case made and provided, and against the peace of the People of the
State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

0030

BOX:

14

FOLDER:

171

DESCRIPTION:

Smith, James

DATE:

05/11/80



171

003

830

Filed 11 day of May 1880
Pleads

THE PEOPLE

21 Monroe
131 Paints

vs.

P
James Smith

Felony Assault and Battery.

BENJ. K. PHELPS,
District Attorney.

A True Bill.

(Hayes, Coney)

Foreman.

Part for May 12. 1880
pleads 2nd count

S.P. 2 year.

0032

New York Hospital.

West Fifteenth Street.

New York, Apr. 19th 1880

This is to certify that Pak. Gilbride,
admitted to Surg. Wards of this
Hospital Apr. 1st suffering from
incised Wd. of Lumbar Region; is
now out of danger.

Francis H. Martin
House Surg.

0033

New York Hospital,

West Fifteenth Street,

April 12^d 1880

This to Certify that Patrick Gilbride
brought to this Hospital Apr. 1st suffering
from Stab Wound of Lumbar Region,
is now out of danger & convalescing
rapidly

J. H. Markor
House Surg.

0034

New York Hospital.

West Fifteenth Street.

New York, *April 4th* 1880

There has been no change in the condition of Pat. Gilbride; ~~ad~~ present a patient in the Surg. Ward of this Hospital for incised wdg. in lumbar region -

Francis Hillar M.D.
House Surg

0035

New York Hospital.

West Fifteenth Street.

New York, April 32 1880

This is to certify that Pat. Gilbride
was admitted to the Surg. wards
of this hospital on the afternoon
of April 1st suffering from incised
wound of left lumbar region
& that he is at present doing
well. - No dangerous symptoms
having appeared as yet

Francis H. Marker
House Surgeon

0036

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

Theodore Olson
of *South West Corner of 3rd Av. & 47th Street,*
being duly sworn, deposes and says that on the *1st* day of *April*
18*89*, at the City of New York, in the County of New York

Jamus Smith, now here, did silently and feloniously assault and beat one Patrick Gilbride of 527 Greenwich Street by cutting and stabbing said Gilbride on the right hip and right hand with a knife or some sharp instrument he, Jamus Smith, then held in his hands. That deponent saw said assault, which took place on the Corner of Astor and Forsyth Streets, and deponent is informed and believes that said Gilbride is now confined in the Chamber St. Hospital and unable to appear in Court by reason of the injuries he received, which may inflict permanent damage or justify a conviction. Theodore Olson

Sworn to this

2nd

day of

*April*18*89*

before me

J. M. P. Attorney

Police Justice.

0037

Will Justice Smith please fix bail for G. in further case at such amt. as he may deem proper, upon the production of Certificate that injured man is out of danger.
J.M.D.

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Hudson Cohen

vs.
James Smith

Dated

April 2^d 1884

JUSTICE.

Patterson

OFFICER.

Wanted 10th

WITNESSES:

Leamon - J. D. D.

And to await

Report of injuries

#2 M.D. J. D. D.

Attidavit of J. D. D. J. D. D.

0038

Police Court—Third District.

CITY AND COUNTY }
OF NEW YORK, } ss.

James Smith being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was
at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

Question.—How old are you?

Answer.— 31 years

Question.—Where were you born?

Answer.—

Question.—Where do you live?

Answer.—

Question.—What is your occupation?

Answer.—

Question.—Have you anything to say, and if so, what—relative to the
charge here preferred against you?

Answer.— I did cut the man I don
it in self defence. He struck me
first

James Smith

Taken before me this

29

day of

Oct

1892

Police Justice

0039

Form 15.

Police Court—Third District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

Patrick Gilbride
 of No. *524 Greenwich* Street,
 on *Thursday* the *first* being duly sworn, deposes and says, that
 in the year 18*80* at the City of New York, in the County of New York,
 he was violently and feloniously ASSAULTED and BEATEN by

James Smith (now Lee)
 who cut and stabbed deponent
 on his left side over the hip
 with a knife or some other
 sharp instrument he held in his
 hand

with the felonious intent to ~~take the life of deponent~~ do him bodily harm; and without
 any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be apprehended and
 bound to answer for the above assault, &c., and be dealt with according to law.

Sworn before me, this
 of *April 29* 18*80* day }

Patrick Gilbride
 mark

J. M. Patterson
 Police Justice.

0040

Police Court—Third District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Robert D. White

vs. Geo. W. Smith

127 Broadway St.

James Smith

Dated *April 29* 1880

Patterson
Magistrate.

Arrival Officer.

10

WITNES:

Thos. Omer

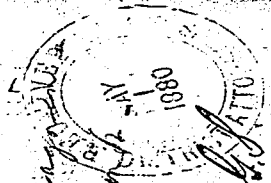
160 E. 47 St.

Michael Thompson

160 E. 47 St.

\$500 to Geo. W. Smith

Came



CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present :

That

James Smith
late of the City of New York, in the County of New York, aforesaid, on the
first day of *April* in the year of our Lord
one thousand eight hundred and *eighty* with force and arms, at the City and
County aforesaid, in and upon the body of *Patrick Kilbride*
in the peace of the said people then and there being, feloniously did make an assault
and *him* the said *Patrick Kilbride*
with a certain *knife*
which the said

James Smith
in *his* right hand then and there had and held, the same being a deadly and
dangerous weapon, wilfully and feloniously did beat, strike, stab, cut, and wound
with intent *him* the said *Patrick Kilbride*
then and there, feloniously and wilfully to kill, against the form of the Statute
in such case made and provided, and against the peace of the People of the State of
New York and their dignity.

SECOND COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County
aforesaid, the said *James Smith*
with force and arms in and upon the body of *Patrick Kilbride*
then and there being, wilfully and feloniously did make an
assault and *him* the said *Patrick Kilbride*
with a certain *knife* which the said

James Smith in *his* right hand, then and there
had and held, the same being then and there a sharp, dangerous weapon, wilfully
and feloniously, and without justifiable and excusable cause, did then and there beat,
strike, stab, cut, and wound, with intent to then and there wilfully and feloniously
do bodily harm unto *him* the said *Patrick Kilbride*
against the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

THIRD COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present : That
afterwards, to wit, on the day and in the year aforesaid, at the City and County afore-
said, the said

James Smith
with force and arms, in and upon the body of *Patrick Kilbride*
in the peace of the said people then and there being, feloniously, did make another
assault and *him* the said *Patrick Kilbride*
with a certain *knife*
which the said

James Smith in *his* right
hand then and there had and held, wilfully and feloniously did beat, strike, stab, cut,
and wound, the same being such means and force as was likely to produce the death
of *him* the said *Patrick Kilbride* with intent *him* the

0042

said *Patrick Kilbride* then and there feloniously and wilfully to kill, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

FOURTH COUNT.

And the Jurors aforesaid, upon their Oath aforesaid, do further present: That afterwards, to wit, on the day and in the year aforesaid, at the City and County aforesaid, the said

James Smith with force and arms, in and upon the body of the said *Patrick Kilbride* then and there being, wilfully and feloniously, did make another assault and the said *Patrick Kilbride* with a certain *Knife* which the said in *his* right hand then and there had and held, the same being then and there a deadly weapon, wilfully and feloniously did then and there beat, strike, stab, cut and wound, with intent to then and there wilfully and feloniously maim the said *Patrick Kilbride* against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

2
Filed 11 day of May 1880
Pleads

THE PEOPLE

vs.

James Smith

Felony Assault and Battery.

BENJ. K. PHELPS,

District Attorney.

A TRUE BILL.

Henry C. May

Foreman.

Per me May 12. 1880

Wm. C. Brown

S. 2 year.

0043

BOX:

14

FOLDER:

171

DESCRIPTION:

Smith, John R. G.

DATE:

05/26/80



171

0044

359
June 30 days notice
Counsel,
Filed 26 day of May 1850
Pleads Not Guilty (27)

THE PEOPLE

vs.

P

John P. G. Smith
(3 cases)

INDICTMENT.
FORGERY in the Third Degree

34
BENJ. K. PHELPS,

District Attorney.
Brought forward late Pardon
at expiration of term - and
Committed by Court on
A True Bill. Jan 24/84

May 11. 1850
Foreman.
June 23. 1850.

Tried & Convicted
15-25 years

0045

Columbia College Law School
8 Great Jones Street
New York June 15 1880

Dear Sir,

I understand
that you John V. G. Smith
is to be tried on the 17th inst
on the charge of forgery. I
knew nothing concerning
the facts of this charge &
only write for the purpose
of saying that I have been
acquainted with Mr
Smith since October 1879.
I knew him as a member
of the Columbia Law School

0046

For near Eight months
he was in constant attendance,
often at great personal in-
convenience, found himself
to be an excellent student. Had
clear perceptions of legal
principles, and seemed to
give promise of marked
success in his profession. His
character was irreproach-
able, and I formed a
high opinion of him. I
was shocked when I heard
the charges against him,
and judging from what I
had seen of him could
scarcely credit them.

0047

I strongly hope that his
innocence may be established
and that he may have the
presumptions in his favor
derived from good conduct.
At the same time, if guilty,
I could not ask that
he should escape punishment,
He now bears a heavy
load, away from his native
country and early friends,
which I trust he may be
relieved from by satisfactory
evidence. With sincere regard
yours very truly,
Frederick W. Douglass
To Judge Eldredge

0048

1879.
Nov. 29. 11/29. 25.
Dec. 26. 12/26. 10.
1880.
Jan. 5. 1/5. 15.
Feb. 5. 2/2. 15.
" 27. 2/26. 10.
Mch. 3. 3/1. 14.
" 6. 3/2. 13.
Bal. 499.

2. 2. 3/2. 84. 600.

Mch. 17. 3/17. 6.
" 31. 3/31. 20.
May 11. 5/11. 6. 16.
" 11. 5/11. 5. 500.
" 22. 5/22. 1. 33.
" 26. 5/26. 5. 5. 33.

1879.
Nov. 1. 300.
" 15. 350.
" 29. 325.
Dec. 12. 425.
" 26. 415.
1880.
Jan. 5. 400.
" 31. 500.
Feb. 5. 485.
" 27. 475.
Mch. 3. 461.

1879.
Nov. 1. (2) 300.
" 15. (2) 50.
Dec. 12. (8.) 100.
1880.
Jan. 31. (8.) 100.
Mch. 6. (8.) 50.

600.

Mch. 6. Bal. 499.

Apr. 10. (8.) 50.
May 26. (8.) 1. 33.

Mch. 6. 499.
" 17. 493.
" 31. 473.
Apr. 10. 523.
May 11. 7.
" 22. 567.
" 26. 0.

0049

Monticello
N.Y.
Dec 21st 1883.

Hon. Peter B. Olney
Dear Sir,

The People

John P. G. Smith

I could
not come to New
York as I intended
to do when I saw
you last week in

0050


ward to the indict-
ments pending in
the above matter. If
you have come to a
conclusion as to
what course you
feel constrained to
take in the prem-
ises will you kind-
ly inform me by
return mail. I
should very much
like to see you per-

0051

sonally but cannot unless absolutely necessary leave here just now.

Trusting your decision is in favor of my client who even if guilty has been I believe sufficiently punished to meet the requirements

0052

of Justice
I am
Sincerely yours,
Arthur C. Dutts


0053

DISTRICT ATTORNEY'S OFFICE,

New York, _____ 188

The People & Indictment
vs. John P. G. Smith & for Forgery

Prisoner convicted in
June 1880 - before Judge Cow-
ing. Sentenced for 4 years
to be sent to Sing Sing Prison.

Complainant Alfred
Eilman of Eilman's Fall
Co. N.Y.

The prisoner's conduct
in the prison has been good.
I have this personally
from Warden Brush.

A pardon has been ap-
plied for twice 1st to Gov.

0054

Cornell - next to Gov Cleveland.
The pardon was considered
favorably by Gov. Cornell - but
pending the consideration of
the application, it was decided
that the prisoner was iden-

A. C. Butts
Monticello
Dist. Comm. N.Y.

0055

Lewis E. Carr,

Attorney & Counselor at Law,

Port Jervis, N.Y. May 25 1880

Hon. Prof. H. Phelps.

32. Chambers St. N.Y.
Dear Sir,

On Saturday
May 2nd a complaint was made
before Justice Mandel at Essex
Market Police Court, against
John W. L. Smith for Forgery.
But two complaints were
made and two warrants issued
the forgeries upon which the
complaints were made are
only two of a series. Covering
the period from about October
1878 to May 1st 1880, and
there are at least 175 of
the forged checks. All of them

purport to be ~~the~~ ^{the} signature by
 Alfred Kilburn and are. Gay-
 -only is the name of different
 persons. The names of the buyers
 of the checks are in every in-
 -stances forged and other names
 on the backs of them are also
 forgeries. The checks were all
 used in New York. Some on
 E. Ridley's stamp. 309. Grand St.
 Some at Alexander Nicoll's and
 the Bowery. and some at Miller
 & Co. on 6th Ave. At Ridley's
 Smith represented that his
 name was E. S. Wales. and
 the checks used that had the
 name of E. S. Wales written on
 the backs. sometimes written by
 Smith in the name of Ridley

0057

Lewis E. Carr,

Attorney & Counselor at Law,

Port Jervis, N.Y.

1871

Cashier and sometimes as before
 he came there. At Nicolls he
 passed by the name of H. F. Green
 and he passed by the same
 name at Miller's store. All of
 the checks passed at Nicolls and
 Miller's bore the name H. F.
 Green written on the backs
 and it was written by himself.
 The checks are of small amount
 generally \$25 and \$25.00. Since
 obtaining the money on all these
 checks and he is clearly and
 fully identified on all these
 places. The last checks were
 by him and at Nicolls and
 two at Miller's were protested.

0058

at the banks here where they were
payable. Until the discovery of
the forgery about two weeks ago.
the checks were paid by the
banks and charged to Williams
account. I was informed by
the Justice that the papers would
be sent to your office Monday
the 24th. Whatever information
is required I will furnish
and I will see that the
papers reach you before the
Grand Jury, come across when
they are needed if I am
informed as to the time and
what papers will be required.
This man should be prosecuted
and convicted as speedily as
possible. If I can furnish any
additional information please
advise me. Yours truly, Louis E. Con

0059

-----x
The People :
- vs. - :
John P.G. Smith. :
-----x

Memorandum for Mr. Olney.

In this case I find upon enquiry that the officers of the State Prison have been interesting themselves in the matter of his being further punished, and one of the officers of that prison, the Warden, I think, or, perhaps, the Inspector, wrote to the late Mr. Mc'Keon shortly before his death concerning the case and the man. The prison officers made an investigation into his antecedents, at the request of the Governor. I believe that their communication to Mr. Mc'Keon was in the nature of a protest against any leniency being shown to him, but of this I have no certain knowledge. I find upon examining these papers, that at the time of his arrest on this charge he had committed one hundred and seventy five forgeries, all of them being forged checks which had been passed by Smith and purporting to be signed by Mr. Gilman, the complainant. I do not find the checks with the papers, nor any memorandum showing the total amount of the forgeries. It will appear from a receipt enclosed with the papers that all the checks have been returned to the complainant by District Attorney Phelps.

Henry C. Allen

0060

John P. S. Smith

Memor for

Mr Olney.

0061

Delaware House.

J. E. WICKHAM, Proprietor.

Post Office, N. C. *June 1st* 1884

Hon. Peter D. Olney
Dear Sir.

The People

J. P. G. Smith. In this case
Mr. Gilman agrees to sign
& swear to a statement as
you advised. The Bank
people think it unadvisable
to prosecute Smith any
further & Mr. St John has
I understand written you
to that effect. Mr. Gilman
does not think Smith ought
to be furnished further in-
formation or indictment.

0062

say he is a bad man & ought
to be in prison on general
principles. Mr. Carr is
strongly opposed to his
further prosecution: He
told me so this morning &
said he would write you
personally if he had time
this week. He is very busy
in Circuit here.

I have now done all
that I can in the prem-
ises. & I hope you will not
deem it your duty to hold
S. any longer. He leaves for
Germany at once he is re-
leased unless overruled by
orders from your office. Will
you let me know your
decision at once & oblig.

Most Truly Yours

Arthur C. Daulton
Abolition cell U.S.

0063

Gilman's Depart August 10" 1880

Asst. Dist. Atty Bell

Dear Sir. Please let
Mr. W. W. Gilman have ^{any} the checks, I
left in your possession.

Oblige Yours Alfred Gilman

0064

Aug 20/80
Recd from Jos Bell
asst. Dist Atty about
one hundred & twenty five
of the within requested
checks W W Gilman
Livesey

Rec New York Aug 5-1881
Fifteen checks (two having protest
attached) being balance of within
requested checks Alfred Gilman

0065

To Judge Gildesleepe
Court of Appeals
New York

0066

*District Attorney's Office,
City & County of
New York.*

Receipt

0067

GRAND JURY.

A. C. Butts
Commissioner &
Monticello
N.Y.

0068

Court of General Sessions of the Peace,
City & County of New York.
Centre Street, from Franklin to White Street.

0069

CITY AND COUNTY }
OF NEW YORK, } ss.:

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John P. B. Smith

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *Sixth* day of *April* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the Ward,
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing
to wit an order for the payment of money of the
Kuud called a Bank Check
which said false, forged and counterfeited *Bank check*
is as follows, that is to say:

2 ct
Rev
Stamp

Port Jervis N.Y. April 6" 1880
National Bank of Port Jervis,
Pay to Charles Boyle or order
Twenty five Dollars.
\$25 X
Alfred Hilman

with intent to injure and defraud

Edward Ridley, Alfred
Hilman the National Bank of Port Jervis

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity

0070

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said

John R. B. Smith

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Edward Ridley, Alfred Gilman, the National Bank of Port Jervis

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing, *to wit an order for the payment of money of the kind called a Bank Check*

which said last-mentioned false, forged and counterfeited is as follows, that is to say :

Bank check

[2cts Stamp]

Port Jervis, N.Y. April 6th 1880

National Bank of Port Jervis.

Pay to Charles Boyle or order

Twenty five Dollars

\$ 25 - X

Alfred Gilman

the said

John R. B. Smith

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited

Bank check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

0071

Counsel,

Filed 26 day of May 1850

Pleas

THE PEOPLE

vs.

P

John P. Smith

(i case)

INDICTMENT.
FORGERY in the Third Degree

BENJ. K. PHELPS,

District Attorney.

I do hereby certify

that the within is a
True Bill.

(Signed) Wm. H. P. Phelps

Foreman.

Court of General Sessions
of the City of New York

The people }
vs. } forgery
John D. G. Smith }

Motion to quash two in-
dictments in the above named action.

Statement of case.

The Grand Jury of the May term of this Court in the year 1880 returned three indictments against the defendant above named, all three similarly worded and all three charging forgery of small checks of the same drawn and on the same bank. The value of none of these checks exceeded the sum of \$100. The def. was tried in the June term of the Court on one of these indictments, charging the forgery of a \$25 check, convicted and sentenced to imprisonment of five years in State Prison, where he is at present serving out his sentence. Under the commutation laws

of the State the sentence will expire on January 24. 1884.

Points.

I.

The faith of the people of New York is pledged that no prosecution shall take place on the other two indictments. Judge Cowing in passing sentence upon the prisoner announced that the district attorney had agreed not to prosecute on the other two indictments, but that the Court would consider the same in determining the length of sentence to be pronounced on the conviction had on one of the indictments found against the deft. The faith of the Court has thus been pledged in a solemn manner that no prosecution should take place on any of the other two indictments.

II.

The matter is res adjudicata. The conviction on the trial of one of the indictments was predicated upon certain evidence, which would be substantially the same in a trial on any of the two

indictments yet pending. It would be virtually a second trial for the same offense, for which the prisoner is undergoing an adequate punishment. Such procedure would violate a provision of the fundamental law of the land.

III.

The question as to previous character of the def. is immaterial, as he could not be punished because his character is alleged to have been bad, or because it is alleged that he had undergone previous punishment. Punishment under either of the two indictments yet pending could only be asked upon a conviction of the crime of forging of one of the small checks named in the resp. indictment, and on that charge a conviction was had in June 1880, and a five years sentence was inflicted upon a full consideration of the facts regarding that alleged crime. If a renewed prosecution on any of the two indictments yet pending could be based upon an allegation of previous bad character, a similar course

should be followed in all cases, in which more than one indictment was found, but a conviction had only on one indictment, and where the defendant had been previously punished. A search of the records will disclose a large number of such cases, yet the practice, under the law in force at the time when this def. was convicted, has invariably been not to commence fresh proceedings against the prisoners immediately upon their discharge from State prison, but to give them a chance to do better. And what is just in those cases is equally just in this case.

IV.

All precedent is against a renewed prosecution. In the case of the People vs. S. Lloyd Haigh, tried in the Court of General Sessions of the City of New York, twelve indictments for Forgery were returned by the Grand Jury against the def. He plead guilty to one indictment, and a four years sentence was pronounced upon Haigh in August 1880. When

Haigh in the latter part of the year 1881 made application for a pardon to the Governor, Judge Eldersleeve upon motion quashed the other eleven indictments, in order to enable the governor to act upon the application. The crime of which Haigh was convicted consisted of a series of forgeries involving large amounts of money and entailing the loss of property of many persons, for which a four years sentence was not a hard punishment. Yet the Court quashed the other eleven indictments in order to give the prisoner a free hand in his application for pardon before the Governor. - In the case of the People vs. John Payne, convicted in the Court of General Sessions of the City of New York, the outstanding indictments were quashed in December 1881, a short time prior to the discharge of the prisoner from Sing Sing prison, although a bench warrant for the re-arrest of the prisoner on one of those indictments had already been issued. - A similar course was followed in the case of the People vs. Wm. H. Reed, tried in the Western Co. Court, where the indictments yet pending against the def. were quashed.

in December 1881, about two months previous to the discharge of the prisoner from Sing Sing Prison. A contrary course has never been followed in this State. Of all the convicts now confined in Sing Sing Prison there is, to my knowledge, not one kept there on a charge arising out of the same transaction or offence for which the sentence just expired had been inflicted.

I.

The finding of more than one indictment in cases, in which the offence virtually consists of one continued criminal act, is done only for the purpose of making conviction sure, should the prosecution fail in a trial on one of the indictments, and not for the purpose of giving a vindictive private accuser a license to wreak vengeance upon the accused.

II.

The issue of a new warrant and the re-arrest of the prisoner in the above entitled action could only be asked to gratify the feelings of malice and revenge of the private accuser. A pure administration

4.

of law cannot look with favor upon such motives and proceedings. Revenge is not justice, and vindictiveness is not a proper motive to move the strong arm of justice. Punishment is inflicted to vindicate the law which knows no revenge, and not to gratify the feelings of malice and revenge of a private accuser.

VII.

The sentence of five years imprisonment in State prison is a severe punishment, and above the average length of sentences meted out in the Courts of our State upon a conviction of forgery.

VIII.

In making this motion the question of guilt or innocence of the prisoner is not considered at all. The conviction by a jury imposes the burden of legal guilt upon the accused, no matter whether he may be morally guilty or innocent. The facts referred to in this motion are taken simply as found without going into the inquiry whether the def. is really guilty or innocent.

Sing Sing Prison, N. Y., The

0079

24th day of September 1883.

John P. G. Smith
The defendant in the above
entitled action.

Court of General Sessions
of
the City of New York.

The People

vs.

John P. G. Smith

Forgery

Motion to quash
two indictments.

John P. G. Smith,
Defendant.

Sing Sing Prison,
N. Y.

0080

Vol. 1

State of New York
County of New York.

Court of General
Sessions

The People

vs
John R. G. Smith

Sir:

Please take notice
that upon the three in-
dictments against the
above Defendant for forgery
which said indictments
were found in May 1880
in said Court of Sessions.
Upon one of which indict-
ments said Defendant was
tried & convicted. the other
two indictments being
now pending undried in
said Court, & which said
indictments are now
& upon an affidavit of copy of which is herewith served upon
are held in your office, I
shall move this Court at
a time thereof to be held

12.

0081

at the Court Room of the Court
of General Sessions, ^{Part Two} in the
City of New York on the 5th
day of July 1884 at 10 o.
clock in the forenoon of that
day or as soon thereafter
as counsel can be heard
for an order dismissing
the said two indictments
now pending in said
Court against said de-
fendant & for such other
relief as may be in furth-
erance of Justice

Yours &c

Alfred C. Daulton
Atty for Deft
Office & P. O. address
Monticello
N.Y.

To Peter D. Olney Esq
Dist. Atty
New York County.

4 State of New York
County of New York,
Court of General Sessions.

The People

vs John P. G. Smith

City & County of New York for John
P. G. Smith being duly sworn
deposes & says:

At a term of
this Court held in & for
the County of New York
in the month of May
1880 the Grand Jury then
& there attending said
Court & duly & lawfully
constituted presented three
indictments against de-
ponent for the crime of
forgery in the third degree.

5 That in each of said in-
dictments it is alleged that
this deponent falsely fraud-

6. recently & feloniously, passed certain checks purporting to have been deposited by one Alfred Culman as genuine which said checks it was alleged this department knew were not signed by said Alfred Culman - but which said checks he knew had the name of said Culman forged there to.

That the first indictment was found on the 20th day of May 1880 & charges that on the 2nd day of April 1880 at the City of New York defendant uttered a forged check & passed the same as genuine to & upon one Edward Ridley with intent to defraud and the said Edward Ridley Alfred Culman & the latter of Bank of Port Jervis & said check is described substantially as follows to wit:

Port Jervis N.Y. April 2nd 1880
 National Bank of Port Jervis
 Pay to John Langan on order
 Twenty five - Dollars Alfred Culman

0084

Vol. 1

State of New York
County of New York.

Court of General
Sessions

The People

vs
John L. G. Smith

Sir:

Please take notice
that upon the three in-
dictments against the
above defendant for forgery
which said indictments
were found in May 1880
in said Court of Sessions.
Upon one of which indict-
ments said defendant was
tried & convicted. the other
two indictments being
now pending undried in
said Court, & which said
indictments are now
& upon an affidavit of copy of which is herewith served upon you
are file in your office, I
shall move this Court at
a time thereof to be held

12.

4 State of New York
County of New York,
Court of General Sessions.

The People

John P. G. Smith

City & County of New York for John
P. G. Smith being duly sworn
deposes & says:

At a term of
this Court held in & for
the County of New York
in the month of May
1880 the Grand Jury then
& there attending said
Court & duly & lawfully
constituted presented three
indictments against de-
ponent for the crime of
forgery in the third degree.

5 That in each of said in-
dictments it is alleged that
this deponent falsely fraud

0086

at the Court Room of the Court
of General Sessions, in the
City of New York on the 5th
day of July 1884 at 10 o.
clock in the forenoon of that
day or as soon thereafter
as Counsel can be heard
for an order dismissing
the said two indictments
now pending in said
Court against said de-
fendant & for such other
relief as may be in furth-
erance of Justice

Yours &c

Wm. C. Dutt
Atty for Deft
Office & P. O. address
Monticello
N.Y.

To Peter D. Olney Esq
Dist. Atty
New York County.

0087

That the second indictment was found on the 26th day of May 1880 & charges that on the 6th day of April 1880 at the City of New York defendant uttered a forged check & passed the same as genuine to & upon one Edward Ridley with intent to injure & defraud the said Edward Ridley & Alfred Hilman & the National Bank of Port Jervis

check is described substantially as follows to wit:

Port Jervis N.Y.

April 6th 1880

National Bank of Port Jervis
Pay to Charles Doyle or order
Twenty five Dollars

Alfred Hilman

\$25.00

That the third indictment was found on the 26th day of May 1880 & charges that on the 28th day of June 1879 at the City of New York defendant uttered a forged check & passed the same as genuine to & upon one Edward Ridley with intent to injure & defraud Edward Ridley

0088

of Alfred Filman & the National Bank of Post Office
& said Check is described
substantially as follows
to wit:

Post Office U.S.

June 28th 1879.

National Bank of Post Office

Pay to Alexander Moore or order
One hundred Dollars
Alfred Filman

#100x

That each of said in-
dictments appear to have
been & were filed in the
office of the District Attor-
ney of the County of New
York on the 26th day of
May 1880.

That at a Term of this
Court held in & for the said
County of New York in the
Month of June 1880 defendant
was arraigned & tried on
the first indictment here-
in referred to & that such
trial resulted in his con-
viction for the offense charged.

and therein, & that upon
 such conviction the
 Court passed judgment
 upon deponent that he
 be confined at hard labor
 in the State Prison at Sing
 Sing for the term of five
 years. That such sentence
 began to take effect on the
 25th day of June 1880 & that
 by reason of deponent's
 good conduct while
 serving such sentence he
 was entitled under the
 statute in such cases made
 & provided to a certain
 commutation thereof &
 that in accordance with
 such statute & the rules
 of said prison deponent's
 term of imprisonment ex-
 pired on the 24th day of
 January 1884. That he
 was duly discharged from
 said imprisonment by
 reason of the expiration
 of his sentence under said
 first indictment on said

24th day of January 1844
 but that he was at once
 on the same day ar-
 rested under a bench
 warrant issued at the
 instance of the District
 Attorney of said County
 of New York & that he is
 now imprisoned in the
 10 Tombs Prison of said Coun-
 ty to answer the crimes
 set forth & charged against
 him in said last two
 indictments & to stand
 his trial thereupon. He
 further says avers that
 that he is not impris-
 oned under any charge
 civil or criminal ex-
 cept the charges in said
 indictments laid against
 him & that he is a citi-
 zen of the United States & a
 resident of the State of New
 York.

11 And further deponent says
 that he was ready for trial

upon the two indictments now pending in this Court against him at the June Term of this Court in the year 1880. That the trial thereof was not put over postponed or adjourned upon his motion or by his authority or consent.

And further Dependent says that great & irreparable injustice will be done to him if he is held for trial under said ^{pending} two indictments. That he does not know of the whereabouts of his witnesses who will be necessary & material for his defense upon said trials - that they are scattered & some as Dependent believes as he has been informed are out of the State. That Dependent particularly mentions Prof. Schall one of Dependent's most important witnesses & with-

out whose testimony deponent cannot proceed to trial, who is now in the territory of New Mexico or was at the time deponent was sent to prison but that deponent does not now know where the said Schall may be found.

12. That deponent is wholly without means - that he has ~~entirely~~ exhausted all funds of his Command & that he has no way direct or indirect of obtaining means to properly conduct his defense. That his witnesses were all where he could have procured their testimony at the time of his former trial in June 1880, but they are now so situated that depositions would have to be issued to take the testimony of said witnesses.

out of the State even if they should be found & that the report is absolutely without the requisite means thereof that he has no money to employ counsel, & that his present Counsel J. C. Bells of Mount Allott is conducting his case in this matter without reward & paying all the expenses herself.

13 Deponent further says that as to many of the witnesses who appeared in his behalf on the former trial he has no information as to their present place of residence. That he has had no occasion to keep track of them supposing as a matter of course there would be no further prosecution of the remaining two indictments.

And deponent further says that at the Court of Sessions when he was indicted convicted & sentenced as aforesaid, the Hon. Rufus B. Cowing one of the Judges of the Court of General Sessions presided. That when he pronounced sentence upon deponent he expressly said that the District Attorney had agreed not to prosecute said two indictments pending but that the same would be taken into consideration by this Court in determining the length of sentence & the severity of the punishment of the prisoner this deponent. That deponent may not state the exact words of said Judge but the above is substantially what he said when passing sentence

0095

an deponent.
Signed before me John R. Smith
on July 28th 1884
Francis V. S. Oliver
Notary Public
N. Y. Co.

0096

Court of General Sessions

The People

^{vs}
John R. Smith

vs
John R. Smith & Co.
of Providence

vs
John R. Smith
of Providence

vs.

vs
John R. Smith & Co.
of Providence

vs
John R. Smith & Co.
of Providence

vs.

vs
John R. Smith & Co.
of Providence

vs
John R. Smith & Co.
of Providence

0097

Lewis E. Carr,

Attorney & Counselor at Law,

Port Jervis, N.Y. January 19th 1887

Peter B. Olney Esq.

Dear Sir

I am the complainant in the two indictments now pending against John P.G. Smith, whose present term of imprisonment will expire on the 24th of this month. The offense of which he was guilty was so aggravated and involved so many forgeries that I am not willing that he should be discharged from custody on the expiration of his term of imprisonment and I request that he may be retained in custody and tried on another of the indictments against him. I believe him to be a bad man and if released I have no doubt he will seek to rob some one else. The ends of justice will be promoted by his further prosecution and imprisonment. In addition to the charges against him on these indictments it is believed that he has been guilty of others more serious than them. That fact it seems to me should be taken into consideration in determining as to his future trial. Please advise me what your intentions are with reference to this matter.

Yours &c Alfred Glucose

0098

Lewis E. Carr,
Attorney & Counselor at Law,

Port Jervis, N.Y. January 197884

Peter B. Olney Esq.

Dear Sir

I have been requested by A.C. Butts of Monticello N.Y., who seems to represent John P.G. Smith, at present serving his term of imprisonment for forgery, to write you as the representative of the Bank in the prosecution concerning the other indictments against him. I have said to Mr. Butts that the Bank has no particular interest in these matters and it will be guided by the wishes of Mr. Gilman who was the complainant in those cases. I understand he desires that Smith should be held and tried on another of the indictments. I have no doubt the ends of justice will be promoted by such a disposition of the matter. Smith is no doubt an old offender and were he released from these indictments he would in another place continue his old practices. I do not assume to dictate to you what your course should be but give you my judgment as to it leaving you to determine with all the facts before you

Yours Truly
Lewis E. Carr

0099

Hon. Rufus B. Cowing

Justice, Court of General Sessions.

Dear Sir -

In May 1880 the grand jury returned three indictments against me charging forgery. On one of these indictments - I was tried, and upon conviction by a jury sentenced by you to a term of five years in State prison. In passing sentence upon me you prefaced the pronouncing of it with the remarks, that the district attorney had agreed that no prosecution should take place on the two indictments yet standing, but that the latter would be taken into consideration in determining the length of sentence and that my punishment would be a severe one. The sentence will expire on January 24. 1884.

The report has lately reached me that the two indictments yet pending are used as an instrument of threats against me by my enemies, and that they are considered by the private accuser as a convenient weapon to wreak vengeance upon me. Threats have been thrown out by the private accuser and the persons representing him

That on my discharge from prison I would be subjected to further trouble and expenses by reason of those indictments. My resources are entirely exhausted, and I am unable to employ counsel in New York. Under such circumstances I trust I may be pardoned if I avail myself of the provision of Law which confers upon the accused the right to conduct his own defence.

I beg therefore to present to You, with permission of the Warden of the prison, a motion to have the two indictments yet pending against me quashed. A verbal argument is of course prohibited by my imprisonment, but I have prepared a short brief which I beg respectfully to submit to You. Due notice has been given by me of this motion to the district attorney, which I ask you to consider in your judicial capacity, making a kind allowance for the unfortunate situation of a prisoner who is penniless.

Hoping that you will be kind enough to apprise me in due time of your decision I beg to subscribe myself

Very respectfully

Your obedient servant
John P. G. Smith

Sing Sing Prison, N.Y.
Sept. 24. 1883.

0101

Court of General Sessions
of the City of New York.

The people
— vs. —
John P. G. Smith }

To J. J. McKim, Esq., district
attorney of the city & county of New
York.

Sir -

Please take notice that I have
this day submitted to His Honor, Judge
Rufus B. Loring, a motion to have
two indictments yet pending in the
above entitled action, which were
returned against me by the Grand
Jury of the city & county of New York in
the last term of the Court of the year
1880 quashed, the motion to be de-
cided after the expiration of the time
fixed by law for making motions of this
kind.

Sing Sing Prison, N.Y., September 24. 1883
John P. G. Smith,
Defendant

Court of General Sessions
of
the City of New York

The People

vs
John P. G. Smith

Forgery.

Notice
of motion to quash
two indictments

To J. J. McLean, Esq.
district attorney
N. Y. City.

Filed Sep. 25, 1888 J. H.

John P. G. Smith
Def. Sing Sing Prison
N. Y.

Conceded by Henry Fay Esq.
SP 5 Nov. 1888

0103

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

Alfred Gilman
of the County of Sullivan, State of New York,
being duly sworn, deposes and says that on the _____ day of _____
1878 at the City of New York, in the County of New York

John P. G. Smith now present was
employed by deponent as clerk and
book keeper in deponent's store at the
aforesaid place from December 1877
until July 1878.

That the checks marked respectively
A. + B. attached to the affidavits of
Alfred H. Isaac are not in his
handwriting that the name Alfred
Gilman thereon is not the signature
of deponent nor in the handwriting
of any person authorized by deponent.

Alfred Gilman

Sworn to this 22 day of May 1880.

by

Police Justice

0104

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, ss.

of No. *309 Grand* Street,
being duly sworn, deposes and says that on the *about 5* day of *July* 18*79*
at the City of New York, in the County of New York.

John T. Smith was present.
obtained from *Edmund Bradley & Sons*
the sum of one hundred dollars in
cash. by uttering and publishing
as true, with intent to cheat and defraud
said *Edmund Bradley & Sons*. the sum
of one hundred ^{ing} dollars.
by *Alfred A. Isaacs* on the National
Bank of New York for the payment
of the sum of One Hundred Dollars.
That deponent is informed and
truly believes that said check
is forged and of no value.

Alfred A. Isaacs

Subscribed

Sworn to this

22 day of

July

1879

before me

Police Justice

0105

No Complaints

356
POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alfred A. Hayes
309 Grand St



John P. G. Smith

Dated

23 May

1880-

J. H.
JUSTICE.

Eng. Long

OFFICER.

WITNESSES:

Alfred Gilman
Port Jervis. N. Y.

Geo. E. L. M.
Com

0106

Police Court—Third District.

CITY AND COUNTY } ss.
OF NEW YORK }

John P. G. Smith. being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

John P. G. Smith.

Question.—How old are you?

Answer.—

Thirty five years.

Question.—Where were you born?

Answer.—

In Germany.

Question.—Where do you live?

Answer.—

Post Office. N. Y.

Question.—What is your occupation?

Answer.—

I decline to state it.

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I am not guilty.
John P. G. Smith

Taken before me, this

22 day of May

1880

Police Justice.

0107

Police Court—Third District.

CITY AND COUNTY }
OF NEW YORK, } ss.

John P. G. Smith being duly examined before the undersigned, according to law, on the annexed charge; and being informed that he was at liberty to answer, or not, all or any questions put to him, states as follows, viz.:

Question.—What is your name?

Answer.—

John P. G. Smith.

Question.—How old are you?

Answer.—

Thirty five years.

Question.—Where were you born?

Answer.—

In Germany

Question.—Where do you live?

Answer.—

Port Jervis. N. Y.

Question.—What is your occupation?

Answer.—

I decline to state it.

Question.—Have you anything to say, and if so, what—relative to the charge here preferred against you?

Answer.—

I am not guilty.
John P. G. Smith

Taken before me, this

22 day of May

Police Justice.

188

0108

STATE OF NEW YORK,
COUNTY OF NEW YORK ss.

of No. 309 Grand Street, 1880
being duly sworn, deposes and says that on the 23 day of April
1880, at the City of New York, in the County of New York.

John P. Smith - now present.
presented to deponent who is the
Cashier of Edward Bradley & Sons.
the two annexed checks marked A
purporting to be drawn by Alfred
Gillman on the National Bank of Port
Jervis for the payment of the sum of
Twenty five dollars each, and received
from deponent fifty dollars cash
therefor.

That deponent is informed that said
checks were forged, and charges said
Smith with knowingly uttering the
same as true, with intent to cheat and
defraud said Edward Bradley & Sons.

Alfred Isaac

Subscribed and sworn to this 22 day of May 1880
before me
Police Justice

0109

359 & 1/2

POLICE OFFICE, THIRD DISTRICT.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

Alfred A. Isaacs
309 Grand St

John P. G. Smith

Affidavit—

Dated 22nd May 1880

JUSTICE.

OFFICER.

Ser. Long
Alfred Gillingham
WITNESSES
J. E. Cost

Paying Teller of the
National Bank of Port Jervis.
Port Jervis. N.Y.

0110

CITY AND COUNTY }
OF NEW YORK, } ss.:

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John P. S. Smith

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *twenty eighth* day of *June* in the year of our Lord
one thousand eight hundred and seventy-*nine* with force and arms, at the Ward,
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing
to wit: an order for the payment of money of the
Knix came a Bank check

which said false, forged and counterfeited
is as follows, that is to say:

Bank check

Port Jervis, N.Y. June 28th 1879

2nd
Rev
Stamp

National Bank of Port Jervis
Pay to Alexander Moore or order
One Hundred ————— Dollars
\$100 #

Alfred Gilman

with intent to injure and defraud

*Edward Ridgely, Alfred
Gilman, the National Bank of Port Jervis*

and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity

0111

And the Jurors aforesaid, upon their Oath aforesaid, do further present :

THAT the said

John P. B. Smith

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Edward Ridley, Alfred Gilman, the National Bank of Port Jervis

and divers other persons, to the jurors aforesaid unknown, a certain false, forged, and counterfeited instrument and writing.

To wit an order for the payment of money of the kind called a Bank Check

which said last-mentioned false, forged and counterfeited *Bank Check* is as follows, that is to say :

Port Jervis, N.Y. June 28th 1879

*[2¢]
res.
Stamps*

National Bank of Port Jervis

*Pay to Alexander Moore or order
One Hundred Dollars.*

\$100 X

Alfred Gilman

the said

John P. B. Smith

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited

Bank Check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

302

Counsel,

Filed 26 day of May 1880

Pleads

Wm. G. Gentry (27)

THE PEOPLE

vs.

P

John P. P. Smith.

(i case)

INDICTMENT.
FORGERY in the Third Degree

BENJ. K. PHELPS,

22 Nov 6/84 District Attorney.

Recharged by the Court to
his full recognition
A True Bill.

(Wm. G. Gentry)

Foreman.

0113

CITY AND COUNTY }
OF NEW YORK, } ss.:

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

John P. B. Smith

late of the First Ward of the City of New York, in the County of New York, afore-
said on the *second* day of *April* in the year of our Lord
one thousand eight hundred and ~~seventy~~ *eighty* with force and arms, at the Ward,
City, and County aforesaid, feloniously did falsely make, forge, and counterfeit, and
cause and procure to be falsely made, forged and counterfeited, and willingly act and
assist in the false making, forging and counterfeiting a certain instrument and writing
to wit an order for the payment of money of
the kind called a Bank check
which said false, forged and counterfeited Bank check
is as follows, that is to say:



Port Jervis. N.Y. April 2nd 1880
National Bank of Port Jervis.
Pay to John Lanigan or order
Twenty five Dollars
\$25.00 Alfred Gilman

with intent to injure and defraud

Edward Ridley, Alfred
Gilman the National Bank of Port
Jervis
and divers other persons; to the jurors aforesaid unknown
against the form of the statute in such case made and provided, and against the peace
of the People of the State of New York and their dignity

0114

And the Jurors aforesaid, upon their Oath aforesaid, do further present:

THAT the said

John P. B. Smith

late of the Ward, City, and County aforesaid, afterwards, to wit, on the day and year last aforesaid, with force and arms, at the Ward, City and County aforesaid, feloniously and falsely did utter and publish as true, with intent to injure and defraud the said

Edward Ridley, Alfred Kilman, the National Bank of Port Jervis

and divers other persons, to the jurors aforesaid, unknown, a certain false, forged, and counterfeited instrument and writing. To wit an order for the payment of money of the kind called a Bank check

which said last-mentioned false, forged and counterfeited is as follows, that is to say:

Bank Check

Port Jervis
Stamps

Port Jervis, N.Y. April 2nd 1880

National Bank of Port Jervis.

Pay to John Danigan or order

Twenty five

\$25 X

Dollars

Alfred Kilman

the said

John P. B. Smith

at the same time *he* so uttered and published the last-mentioned false, forged, and counterfeited

Bank Check

as aforesaid, then and there well knowing the same to be false, forged and counterfeited, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.

Friend Lovick
N.Y. Grace

0115

0116

BOX:

14

FOLDER:

171

DESCRIPTION:

Sowdon, James G.

DATE:

05/11/80



171

0117

Wm. H. C. Davis

Counsel,

Filed 11 day of May 1880

Pleads

THE PEOPLE
vs.
James B. Landon
B
Embezzlement
and - Grand - Larceny.

BENJ. K. PHELPS,

District Attorney.

A True Bill.

(Signed, C. C. Cady)

Foreman.

*Bill discharged
see recommendation
of complainant
within*

0119

Fleming, Adams & Howe,
WHOLESALE GROCERS.

115 Warren St., bet. Washington and West Sts.

Wm. Fleming,
Aaron Adams,
John F. Howe.

New York, Mar 29th 1880.

Dear Sir:

In the matter of
Fleming Adams & Howe, Agt. James
G. London, we would say to you,
that a letter received today from
our Mr. Adams, who is the complain-
ant in the case, says to us that
he will be at home on Monday next,
April 5th, we stated to you that we
thought he would be here April 1st.

Yours truly,
Fleming Adams & Howe

Geo. W. Lyon Esq.
Asst. Dist. Atty.

0120

Fleming, Adams & Howe,
WHOLESALE GROCERS.

115 Warren St., bet. Washington and West Sts.

Wm. Fleming,
Aaron Adams,
John I. Howe.

New York, Mar 29th 1880.

Dear Sir:

In the matter of
Fleming Adams & Howe, Agt. - James
G. London, we would say to you,
that a letter received today from
our Mr. Adams, who is the complain-
ant in the case, says to us that
he will be at home on Monday next,
April 5th, he stated to you that we
thought he would be here April 1st.

Yours truly,
Fleming Adams & Howe

Geo. W. Lyon Esq.
Asst. Dist. Atty.

0121

Fleming, Adams & Howe,

WHOLESALE GROCERS,

115 Warren St., bet. Washington and West Sts.

Wm. Fleming,
Aaron Adams,
John T. Howe.

New York, Jan 28 1880

Mr. Bell Esq

New York
Dear Sir! We think
and esteem Mr. S. Lovell
fully repaid of what he has
done - He promises that if
he is given the opportunity
he will lead a different
life - that he may have a
chance to redeem this promise
and act of consideration
for his family and friends
we sign the enclosed re-
quest for his money at your
hands

Very Truly Yours
Thos. Adams & Co.

0122

New York General Sessions.

PEOPLE, ON MY COMPLAINT,

versus

James G Lowdon.

Embezzlement

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

Henry Adams Thorne

0123

Police Court—First District.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK,) ss.

Araron Adams

of No. 113 Warren Street,
being duly sworn, deposes and says, that on the 2nd day of December 1879, at the City and County of New York,

James G. Crowdon, now here
not being an apprentice or within the
age of eighteen years did feloniously
and fraudulently embezzle and convert
to his own use and profit
Money, under the following circumstances
— to wit: That at the aforesaid time
and prior thereto, said Crowdon
was employed in the capacity of a
clerk or servant to this defendants
firm — and as such clerk was entrusted to
receive moneys, checks &c. and
deposit the same in Bank to the
credit of said firm. That on the
day in question said Crowdon received
from one Michael Plunket for and in
behalf of said firm a check for the
amount of four hundred dollars on
account for goods sold to and delivered
to said Plunket. That said Crowdon
in the capacity of clerk did falsely and
fraudulently enter in the ledger of said
firm the amount of three hundred dollars
as representing said check and did
feloniously and knowingly convert to
his own use and profit the sum
of one hundred dollars being the difference
of said check and the amount entered
by said Crowdon in said firm's books
as represented by the aforesaid check.

Araron Adams

Shorn to before Court

13th day of January 1880

J. M. [Signature]
Clerk of Court

0124

Police Court—First District.

CITY AND COUNTY
OF NEW YORK, } ss

James G. Gordon being duly examined before the undersigned,
according to law, on the annexed charge, and being informed that he was at liberty
to refuse to answer any question that may be put to him, states as follows, viz:

Question. What is your name?

Answer.

James G. Gordon

Question. How old are you?

Answer.

22 years

Question. Where were you born?

Answer.

New York City

Question. Where do you live?

Answer.

New York City

Question. What is your occupation?

Answer.

Clerk.

Question. Have you anything to say, and if so, what—relative to the charge here
preferred against you?

Answer.

*I have nothing
to say*

James G. Gordon

Taken before me, this

15 day of *January* 188*0*

Police Justice.

0125

Police Court—First District.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

James Adams
115 West 35th St
James G. Gordon

BAILED

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

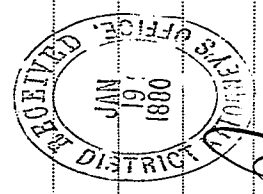
Residence,

No. 5, by

Residence,

No. 6, by

Residence,



Offence,

Date *January 13-79*

Edmund Magistrate.

Mulvey Officer.

124 Clerk.

Witnesses,

\$ *2.00* to answer

at Sessions,

Received in Dist. Atty's Office,

Cam

COUNSEL FOR COMPLAINANT.

Name, _____

Address, _____

COUNSEL FOR DEFENDANT.

Name, _____

Address, _____

0126

CITY AND COUNTY } ss.:
OF NEW YORK,

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York
upon their Oath, present:

That James G. Gordon -

late of the First Ward of the City of New York, in the County of New York, aforesaid
not being an apprentice or person within the age of eighteen years, on the *twenty seventh*
day of *December* in the year of our Lord one thousand eight hundred and
seventy- *nine* was employed in the capacity of a clerk and servant to one

Araron Adams

and as such clerk and servant, was entrusted to receive *a certain sum of money*
to wit: the sum of one hundred dollars in money,
and of the value of one hundred dollars -

and being so employed and entrusted as aforesaid, the said

James G. Gordon by virtue of such employment
then and there did receive and take into his possession *the said certain*
sum of money to wit: the sum of one hundred
dollars in money, and of the value of one hun-
-dred dollars -

for and on account of *Araron Adams*.

his said master and employer; and that the said

James G. Gordon on the day and year last aforesaid,
with force and arms, at the Ward, City and County aforesaid, fraudulently and feloniously did
take, make away with and secrete, with intent to convert to his own use, and did fraudulently
and feloniously embezzle and convert to his own use, without the consent of said master and
employer, and did fraudulently and feloniously and without the consent of his said master and
employer withhold, appropriate, apply and make use of the said *certain sum of*
money to wit: the sum of one hundred dollars
in money and of the value of one hundred
dollars -

(Over.)

0127

of the goods, chattels, personal property and money of the said

Adaron Adams. which said goods, chattels, personal property, and money had come into his possession and under his care, by virtue of his being such clerk and servant as aforesaid, against the form of the Statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

And the Jurors aforesaid, upon their Oath aforesaid, do further Present,

That the said

James S. London

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year last aforesaid, at the Ward, City and County aforesaid, with force and arms, fifty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of twenty dollars, and of the value of twenty dollars each: sixty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of ten dollars, and of the value of ten dollars each: eighty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Demand Treasury Notes), of the denomination of five dollars, and of the value of five dollars each: one hundred promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of two dollars, and of the value of two dollars each: one hundred and twenty promissory notes for the payment of money, being then and there due and unsatisfied (and of the kind known as United States Treasury Notes), of the denomination of one dollar, and of the value of one dollar each: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of one hundred dollars: one promissory note for the payment of money (and of the kind known as a bank note), being then and there due and unsatisfied, of the value of fifty dollars: two promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of twenty dollars each: three promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of ten dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of five dollars each: ten promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of three dollars each: fifteen promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of two dollars each: thirty promissory notes for the payment of money (and of the kind known as bank notes), being then and there due and unsatisfied, of the value of one dollar each: two gold coins (of the kind usually known as double eagles), of the value of twenty dollars each: three gold coins (of the kind usually known as eagles), of the value of ten dollars each: six gold coins (of the kind usually known as half eagles), of the value of five dollars each: fifteen gold coins (of the kind usually known as quarter eagles), of the value of two dollars and fifty cents each: ten gold coins (of the kind usually known as three dollar pieces), of the value of three dollars each: thirty gold coins (of the kind usually known as dollar pieces), of the value of one dollar each: thirty silver coins (of the kind usually known as dollars), of the value of one dollar each: sixty silver coins (of the kind usually known as half dollars), of the value of fifty cents each: one hundred and fifty silver coins (of the kind usually known as quarter dollars), of the value of twenty-five cents each: two hundred and forty silver coins (of the kind usually known as shilling pieces), of the value of twelve and a half cents each: three hundred silver coins (of the kind usually called dimes), of the value of ten cents each: six hundred silver coins (of the kind usually known as half dimes), of the value of five cents each: one thousand coins (of the kind known as three cent pieces), of the value of three cents each: three thousand copper coins (of the kind known as cents), of the value of one cent each. One hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of fifty cents each, and of the marketable value of fifty cents each: two hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of twenty-five cents each, and of the marketable value of twenty-five cents each: five hundred due bills of the United States of America, the same being then and there due and unsatisfied (and of the kind known as fractional currency), of the denomination of ten cents each, and of the marketable value of ten cents each.

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as United States Treasury notes, of a number and denomination to the Jurors aforesaid unknown, and more accurate description of which cannot now be given, of the value of *one hundred dollars*

Divers Promissory Notes for the payment of money, the same being then and there due and unsatisfied, and of the kind known as Bank Notes, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *one hundred dollars*

Divers Due Bills of the United States of America, the same being then and there due and unsatisfied, and of the kind known as Fractional Currency, of a number and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *one hundred dollars*

Divers Coins, of a number, kind, and denomination to the Jurors aforesaid unknown, and a more accurate description of which cannot now be given, of the value of *one hundred dollars*

\$100-

0128

of the goods, chattels and personal property of one

Aaron Adams.

then and
there being found, feloniously did steal, take and carry away, against the form of the Statute
in such case made and provided, and against the peace of the People of the State of New
York and their dignity.

BENJ. K. PHELPS, District Attorney.

0129

BOX:

14

FOLDER:

171

DESCRIPTION:

Stanbrow, Henry

DATE:

05/13/80



171

0130

139

Day of Trial

Counsel,

Filed 13 day of May 1880

Pleads

THE PEOPLE

vs.

B

Henry Stanbrook

Violation of Excise Law.

BENJ. K. PHELPS,

District Attorney.

May 14/80
Quit discharged.

A TRUE BILL.

(Hays, Dwyer)

Foreman.

The proprietor of this place
James F. Holland (no name in record for)
made application for license
on the day of the arrest and
before the arrest. It was granted
him on the 18th day of February.

0131

First District Police Court.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss.

of No. the 2nd Precinct Police Charles Dunleavy Street,

of the City of New York, being duly sworn, deposes and says, that on the 11th
day of February 1880, at the City of New York, in the County of New York,

at No. 20 New Church Street,

Henry Stanbrow now present
did sell, or caused, suffered, or permitted to be sold, under his direction or authority, strong or spirituous liquors
viz: Whiskey and Lager Beer
or wines, to be drunk in his house or premises aforesaid, in quantities less than five gallons at a time, contrary to
and in violation of the Sections 13 and 14 of the Act of the Legislature of the State of New York, entitled "An
Act to Suppress Intemperance and to Regulate the Sale of Intoxicating Liquors," passed April 16, 1857.

Sworn to before me, this 11th
day of February 1880

Chas Dunleavy

[Signature]
POLICE JUSTICE.

0132

33 Cranberry St. Bklyn. 58. Eng

no. 39
Police Court—First District.

THE PEOPLE, & C.,
ON THE COMPLAINT OF

Charles Dunleavy

27th Prec.

vs.
Henry Stanbrow

MISDEMEANOR.
Selling Liquor, &c. without License.

Dated the 11 day of Feby 1880

Thelbreth Magistrate.

2
Dunleavy Officers.
27

Witness.....

Bailed \$ 100 to Ans.

By Dennis J. Holland

118 East 28th Street.

0133

CITY AND COUNTY } ss.:
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
*in and for the body of the City and County of New York, upon
their Oath, present:*

That

Henry Stankow

late of the *second* Ward of the City of New York, in the County of
New York, aforesaid, on the *eleventh* day of *February* in the year
of our Lord one thousand eight hundred and eighty _____, at the Ward,
City and County aforesaid, certain strong and spirituous liquors, and certain wines, to
wit: one gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of
whisky, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of
beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor, to the
jurors aforesaid unknown, unlawfully did sell, in quantity less than five gallons at one
time, to one

Charles Dunleavy

; without having a
license therefor, as required by law, contrary to the form of the statute in such case made
and provided, and against the peace and dignity of the People of the State of New York.

~~SECOND COUNT.—And the Jurors aforesaid, upon their Oath aforesaid, do further
present: THAT the said~~

~~late of the Ward, City, and County aforesaid, then and there being a person duly
licensed according to law to sell spirituous liquors and wines on the day
and in the year aforesaid, at the Ward, City and County aforesaid, the same
being the first day of the week, commonly called and known as Sunday, with
force and arms, certain strong and spirituous liquors and certain wines, to wit: One
gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whisky, one
gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one
gill of lager beer, and one gill of a certain strong and spirituous liquor to the jurors
aforesaid unknown, unlawfully did sell, as a beverage, to one~~

~~contrary to the form of the Statute in such case made and provided, and against the
peace of the People of the State of New York, and their dignity.~~

BENJ. K. PHELPS, District Attorney.

0134

BOX:

14

FOLDER:

171

DESCRIPTION:

Sullivan, Augustus

DATE:

05/26/80



171

0135

BOX:

14

FOLDER:

171

DESCRIPTION:

Sullivan, Annie

DATE:

05/26/80



171

0136

Police Court, Halls of Justice.
CITY AND COUNTY } ss.
OF NEW YORK, }

of No. 40 Chushee Street, in the City of New York,
being sworn, doth depose and say, that on the 19 day of May in
the year 1880, the premises known as No. 40 Chushee Street, near
in the City and County of New York, were kept, maintained, conducted, and occupied by

Augustus Dullinaw and
Minnie Dullinaw, now present.

as a **DISORDERLY HOUSE**, namely, as a common bawdy-house and house of prostitution, and
a resort for tipplers, drunkards, common prostitutes and ~~reputed thieves~~, with other vile, wicked, idle,
dissolute and disorderly men and women and ~~reputed thieves~~, who, or most of whom are in the practice
of drinking, dancing, quarreling and fighting at almost all hours of the day and night, to the great
damage and common nuisance of the People of the State of New York, residing in the neighborhood
and passing thereby.

Deponent therefore prays, that the said Dullinaw
and all vile, disorderly and improper persons found upon the premises, occupied by said

Dullinaw
may be dealt with as the law in such cases made and provided may direct; and further saith not.

Sworn before me, this 20 day
of May 1880

Isabella Miller
Mark
POLICE JUSTICE.

House
The 20 May 1880.
Isabella Miller
Police Justice

0137

Police Court—Halls of Justice.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Isabella Miller
40 Chestnut St.



AFFIDAVIT—Disorderly House.

Annie Sullivan
Augusta Sullivan

Dated 20 May 1880.

J. Magistrate.

Capt. Allaire¹⁰
Officer.

WITNESS:

John Hogan
38 Chestnut St.
John J. Mendes.
120 Canal St.

Est. Com
500 to 1000

0138

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That *Augustus Sullivan and Annie Sullivan each*
late of the *fourth* Ward of the City of New York, in the County of
New York, on the *nineteenth* day of *May* in the year of
our Lord one thousand eight hundred and ~~seventy~~ *eighty* and on divers other days
and times, between that day and the day of the taking of this Inquisition, at the City
and Ward, and in the County aforesaid, did keep and maintain, and yet continue to
keep and maintain, a certain common, ill-governed and disorderly house, and in
their said house, for *their* own lucre and gain, certain persons, as
well men as women, of evil name and fame, and of dishonest conversation, to frequent
and come together, then and on the said other days and times, there unlawfully and
wilfully did cause and procure, and the said men and women, in *their*
said house, at unlawful times, as well in the night as in the day, then and on the said
other days and times, there to be and remain, drinking, tippling, gambling, rioting,
disturbing the peace, whoring and misbehaving themselves, unlawfully and wilfully,
did permit, and yet continues to permit, to the great damage and common nuisance of
the People of the said Ward, there inhabiting and residing, and of all the people there
passing, to the evil example of all others in the like case offending, and against the
peace of the People of the State of New York, and their dignity.

BENJ. K. PHELPS, District Attorney.

0139

BOX:

14

FOLDER:

171

DESCRIPTION:

Sullivan, James

DATE:

05/26/80



171

0140

Counsel,

Filed 26 day of May 1886

Pleas

THE PEOPLE

vs.

James Sullivan
vs. Christopher Cook

BENJ. K. PHELPS,

District Attorney.

A True Bill.

Wm. H. H. H.
May 27 1886 Foreman.
Henry C. H. H.
Per: J. H. H.

0141

Form 112.

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK, } ss:

Police Court—First District.

of No. 207 Washington Street, being duly sworn, deposes
and says, that on the 19 day of May 1880
at the City of New York, in the County of New York, was feloniously taken, stolen, and carried
away from the possession of deponent,

the following property, viz: one open face Silver watch and
gold chain attached

of the value of Thirty two Dollars,
the property of deponent

and that this deponent has a probable cause to suspect, and does suspect, that the said property
was feloniously taken, stolen, and carried away by James Sullivan alias
Christopher Cook (now here) for the reason that
while deponent was lying on a bed in a
room in said premises deponent saw said
defendant leaving said room deponent
immediately got out of said bed and
look for the said property and found that
the same was missing

Wherefore deponent charges said
defendant with taking stealing and
carrying away the said property

Isaac Josephson

Sworn to, before me, this

of

1880

day

Police Justice.

0142

Police Court—First District.

CITY AND COUNTY
OF NEW YORK.

James Sullivan being duly examined before the under-
signed, according to law, on the annexed charge; and being informed that he was at
liberty to refuse to answer any question that may be put to him, states as follows,
viz:

Question. What is your name?

Answer.

James Sullivan

Question. How old are you?

Answer.

19 years

Question. Where were you born?

Answer.

New York

Question. Where do you live?

Answer.

26 Mott Street

Question. What is your occupation?

Answer.

Printer Trainor

Question. Have you anything to say, and if so, what—relative to the charge
here preferred against you?

Answer.

I am not guilty

James Sullivan

Taken before me, this

day of

Police Justice.

1890

0143

COUNSEL FOR COMPLAINANT.

Name,
Address,

COUNSEL FOR DEFENDANT.

Name,
Address,

Police Court—First District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Isaac Josephson
207 Washington St.

James Sullivan
alias

Christopher Cook

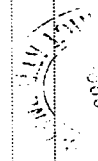
10 May 1880.

Smith Magistrate.

H. J. ... Officer.

... Clerk.

Witnesses:



General Sessions
to answer

Received at Dist. Atty's office

BAILED:

No. 1, by

Residence,

No. 2, by

Residence,

No. 3, by

Residence,

No. 4, by

Residence,

No. 5, by

Residence,

No. 6, by

Residence,

0144

CITY AND COUNTY } ss.
OF NEW YORK, }

THE JURORS OF THE PEOPLE OF THE STATE OF NEW YORK,
in and for the body of the City and County of New York,
upon their Oath, present:

That

James Sullivan otherwise
known as Christopher Cook
late of the First Ward of the City of New York, in the County of New York, afore-
said, on the *nineteenth* day of *May* in the year of our Lord one
thousand eight hundred and ~~seventy~~ *eighty* at the Ward, City and County
aforesaid, with force and arms

*One watch of the value of twelve
dollars —*

*One chair of the value of twenty
dollars*

of the goods, chattels and personal property of one

Isaac Josephson

then and
there being found, feloniously did steal, take and carry away, against the form of the
Statute in such case made and provided, and against the peace of the People of the
State of New York and their dignity.

BENJ. K. PHELPS, District Attorney.